

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

EMMIT JOHN SULLIVAN,

Petitioner,

v.

JERI TAYLOR, Superintendent, Eastern Oregon
Correctional Institution,

Respondent.

Case No. 2:17-cv-00763-MK

ORDER

MCSHANE, Judge:

Magistrate Judge Mustafa Kasubhai filed a Findings and Recommendation (ECF No. 94), and the matter is now before this court on Petitioner's objections. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). I review *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the report is correct.

Magistrate Judge Kasubhai's Findings and Recommendation (ECF No. 94) is adopted. The Amended Petition for Writ of Habeas Corpus (ECF No. 75) is DENIED. Because Petitioner has not made a substantial showing of the denial of a constitutional right, a Certificate of Appealability is also DENIED. *See* 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 10th day of February, 2022.

/s/ Michael J. McShane
Michael McShane
United States District Judge